

**Minutes of the
Tobacco Education and Research Oversight Committee (TEROC)**

Meeting on October 20, 2005
Holiday Inn Capitol Plaza
300 J Street
Sacramento, California

MEMBERS PRESENT:

Bruce Allen, Lourdes Baézconde-Garbanati, Stella Aguinaga Bialous,
Theresa Boschert, Gregory Franklin, Kirk Kleinschmidt, and Deborah Sanchez

MEMBERS ABSENT:

Ron Arias, Alan Henderson, Susanne Hildebrand-Zanki, Rod Lew, Dorothy Rice, and
Traci Verardo

OTHERS IN ATTENDANCE:

Kimberly Bankston-Lee, African American Tobacco Education Partnership
Kelli Berliner, Chief, Local Programs and Priority Populations Unit, Tobacco Control
Section (TCS), Department of Health Services (DHS)
Shelly Brantley, American Lung Association (ALA) of California, Superior Branch
Francisco Buchting, Tobacco Related Disease Research Program (TRDRP), University
of California (UC)
Matt Cervantes, California Youth Advocacy Network
David Cowling, Chief, Evaluation Unit (EU), TCS, DHS
Narinder Dhaliwal, Project Manager, California Clean Air Project, Education, Training,
and Research (ETR) Associates
Charles DiSogra, Director, TRDRP, UC
Edgar Ednacot, Asian Pacific Islander American Health Forum (APIAHF)
Joy Hansen, Administrative Support Unit, TCS, DHS
Kimberlee Homer, CYAN
Bob Gordon, California Lesbian, Gay, Bisexual, and Transgender Tobacco Education
Partnership
Nancy Guenther, Local Programs and Special Projects Unit, TCS, DHS
Kathony Jerauld, Strategic Planning and Policy Unit (SPPU), TCS, DHS
Michelle Kilgore, Media Campaign Unit (MCU), TCS, DHS
Dian Kiser, Resources and Education Supporting People Everywhere Controlling
Tobacco (RESPECT), American Lung Association (ALA) of the East Bay
Paul Kneprath, ALA of California
Jim Knox, American Cancer Society of California
John Lagomarsino, Safe and Healthy Kids Program Office (SHKPO), California
Department of Education (CDE)
Dennis Maciel, Board of Equalization (BOE)
Carolyn Martin, Sacramento Lung Association, RESPECT

Greg Oliva, Chief, SPPU, TCS, DHS
Cathy Palmer, Chief, Contract Management Unit, TCS, DHS
Rhonda Robins, Consultant to TCS, DHS
April Roeseler, Chief, Local Programs and Evaluation, EU, TCS, DHS
Meredith Rolfe, SHKPO, CDE
Robin Shimizu, Assistant Chief, TCS, DHS
Randy Silva, BOE
Kurt Snipes, Acting Chief, Cancer Control Branch, DHS
Sandra Soria, MCU, TCS, DHS
Colleen Stevens, Chief, MCU, TCS, DHS

1. WELCOME, INTRODUCTIONS, AND OPENING COMMENTS

Chairperson Kirk Kleinschmidt called the meeting to order at 10:15 a.m. Each of the Committee members introduced themselves. Members of the audience also introduced themselves and identified their affiliations.

2. APPROVAL OF MINUTES, REVIEW OF CORRESPONDENCE, AND ANNOUNCEMENTS

Approval of minutes was postponed until a quorum was present later in the meeting, at which time the minutes of the May 24, 2005, regular Tobacco Education and Research Oversight Committee (TEROC) meeting were approved with one correction.

The May 31, 2005 TEROc letter to the Department of Finance asking the Administration not to use Proposition (Prop) 99 funds, particularly the Unallocated Account, for federal matching funds was unsuccessful; the Administration-sponsored budget trailer bill moved forward with language that allowed such use of funds.

The Committee discussed the October 18, 2005 letter from the Coalition of Lavender-Americans on Smoking and Health (CLASH) that asked for clarification of why the California Smokers' Helpline (Helpline) does not include a question on sexual orientation/gender identity in its screening protocol. The letter stated that other state tobacco quitlines, including Arizona, Kansas, New Mexico, and Pennsylvania, include a sexual orientation question in their initial screening. Some Committee members were under the impression that this question was already being asked. Ms. April Roeseler responded that the staff responsible for the Helpline contract were not contacted by CLASH, and therefore were unaware of the issue until the letter was received. The Tobacco Control Section (TCS) has already scheduled a fact-finding meeting with the Helpline, constituent groups, and other states for October 21, 2005, to respond to the issue. TCS agreed to report outcomes at the January 2006 TEROc meeting. The Committee agreed that this information needs to be collected, and will respond to CLASH's request about the Helpline.

Ms. Stella Aguinaga Bialous distributed copies of the 2005 United States Public Health Service "Helping Smokers Quit" pocket cessation guide for nurses. This

guide gives providers quick tips on the five “As” (ask, advise, assess, assist, and arrange) and meets new Joint Commission on Accreditation of Healthcare Organizations regulations. Over 35,000 copies have been printed so far, and the Veterans Administration plans to print copies for all their clinicians.

Mr. Greg Oliva announced the Call for Abstracts for the World Conference on Tobacco OR Health to be held in Washington, D.C. in July 2006. More information is available online at www.13thwctoh.org.

3. LEGISLATIVE UPDATE

Mr. Jim Knox, American Cancer Society (ACS), presented information regarding current tobacco-related legislative bills. The Legislature has just adjourned the first year of its two-year session.

The two cigarette litter mitigation bills, Assembly Bill (AB) 1612 (Pavley) and Senate Bill (SB) 942 (Chesbro), would have assessed a ten cents per pack fee on manufacturers of cigarettes sold in California, with the revenue to be used for tobacco use prevention, cessation, and the clean-up of tobacco-related pollution and litter. These bills both failed in fiscal committee hearings.

The Governor signed AB 178 (Koretz) banning the sale of cigarettes that are not “fire safe” in California. The Chairperson asked if there was an estimate of the fiscal impact on consumers. Mr. Knox stated that New York, which passed a similar bill, has not experienced a cost impact. He also mentioned that Philip Morris owns the profitable patent on the paper used for “fire safe” cigarettes.

The Governor vetoed SB 576 (Ortiz) which would have made California the first state to require all health plans to provide tobacco cessation benefits. When asked if Senator Ortiz would re-introduce the bill, Mr. Knox said it is too early to tell, but would not rule it out.

SB 400 (Kuehl) would amend the tobacco licensing provisions of the California Cigarette and Tobacco Products Licensing Act of 2003 by creating a stronger and graduated set of penalties and eliminating the 13 percent youth sales rate trigger requirement and the requirement for the Department of Health Services (DHS) to provide training after the first violation. It would make no change to the licensing fee. It has become a two-year bill.

SB 564 (Torlakson) would create the California Healthy Children Trust Fund and raise the cigarette tax by \$1 per pack. It would provide funding for a number of programs and activities, primarily preventive health programs for children, but also an augmentation for the tobacco control program. It would provide for backfill to Prop 99, the Breast Cancer Fund, and Prop 10. It also became a two-year bill.

4. TOBACCO TAX INITIATIVE

Mr. Knox discussed the three tobacco tax initiatives written this year. A coalition of the American Heart Association (AHA), American Lung Association (ALA), ACS, and the Campaign for Tobacco Free Kids (Coalition) sponsored an initiative to raise the tobacco tax by \$1, with revenues going to tobacco control and disease prevention. This measure was slated for the November 2006 ballot. The California Hospital Association (CHA) submitted their own \$1.50 measure, hoping to qualify for the June 2006 primary ballot, but could logistically or strategically fall back to the November 2006 ballot. This initiative would almost exclusively fund emergency rooms and hospitals. Lastly, the Coalition received a new ally in Children's Health Insurance, and today filed a revised measure at \$1.50, which includes funding for children's health care in addition to tobacco control and disease prevention.

Competing initiatives raise many issues. It is reported that doctors, nurses, and the Service Employees International Union oppose the CHA initiative because it funds hospitals rather than disease prevention, and their respective professional associations may advocate against the CHA initiative. Tax initiatives could appear on both the June and November ballots, but polls indicate that public support for a tobacco tax is strong enough to pass initiatives in separate ballots. Mr. Knox said it would be a large problem if both measures are on the November ballot. He believes the Coalition initiative is better public policy and has better public support than the CHA initiative, but its campaign will be outspent by CHA. If both initiatives are on the November ballot, and both pass, the measure that gets the most votes will be enacted. Methods to calculate combined revenue are not precise, but it is estimated that the first tax measure (CHA) could generate \$1.4 billion and the second measure (Coalition) \$1.1 billion. This would triple current funding for tobacco control.

The Chairperson requested an update on the tobacco tax initiatives at the January 2006 TEROC meeting.

5. BOARD OF EQUALIZATION UPDATE

Licensing and Enforcement: Mr. Dennis Maciel reported on implementation of the Cigarette and Tobacco Products Licensing Act of 2003 (see attachment). The Board of Equalization (BOE) has issued 48,000 tobacco retail licenses since January 2004 of which 44,000 are active. This is less than they expected, having received a retailer list from Philip Morris that contained 55,000 addresses. BOE is reconciling its retailer list and is still issuing new licenses. Tobacco distributors and wholesalers are required to renew their licenses with an annual fee of \$1,000, while the retailer licenses are a one-time fee of \$100.

In November 2004, BOE received limited peace officer status to conduct retailer inspections. From November 2004 to June 2005, the BOE Investigations Division reports:

- 5,139 inspections
- 600 citations (for a total of 1,002 violations)

- 199 warning letters that establish the intent to take action
- 46 notices were subject to fines
- 335 suspensions, and
- 204 appeals

Mr. Maciel stated that retailers would much rather pay fines or even go to jail than have their license suspended. One AM/PM convenience store owner said 60 percent of sales, excluding gasoline, come from tobacco products – an estimated \$300,000 in tobacco sales per month. With such lucrative tobacco sales, some retailers apply for new licenses under a different name to evade suspensions. BOE can reject deceptive license applications, but they are hard to identify. The Licensing Act also gives BOE the authority to seize and destroy tobacco products; from January 2004 to June 2005, BOE seized 190,000 packs of cigarettes and 92 other tobacco products, for a total of \$222,144 wholesale cost.

A member asked if language barriers contribute to lack of retailer compliance. Mr. Randy Silva responded that BOE distributes brochures in many languages, many inspectors are multi-lingual, and language has never been an issue at appeals.

Revenues: Mr. Maciel reported tobacco revenues increases:

- \$51 million in 2004 (\$34 million from cigarettes and \$14 million from other tobacco products).
- \$34 million year-to-date (YTD) in 2005 (\$32 million from cigarettes and \$1 million from other tobacco products).
- \$85.8 million total 2004 and 2005 YTD

A member asked if all the new revenues come from licensing, and Mr. Maciel said, probably not. The new counterfeit-proof tax stamp was 80 percent implemented by April 2005; however, its fiscal effect is unknown. Beginning in January 2006, the State Bureau of Audits will analyze the licensing program to assess the benefits and viability of the new tax stamp, and prepare a report for the Legislature.

In April 2006, BOE must submit a report to the Legislature on the cost of implementing the new tax stamp. Distributors who submit overhead, warehousing, and other costs involved with the tax stamp to BOE receive a discount off the cost of the tax stamp.

For the record, it is noted that the increase in revenues comes from licensing and the tax stamp, not from increased consumption.

Expenditures: Mr. Maciel said the Compliance Fund will run out of funds in fiscal year (FY) 2006-07 or 2007-08. Prior to that time period, the fees collected by the licensing program bore most of the enforcement costs, but the fees will not be able to cover all of the costs in the future. BOE may have to look for additional revenues from Prop 99, Prop 10, and the Breast Cancer Fund.

The Chairperson asked about the relationship of local retailer licenses and BOE licensing enforcement. Mr. Maciel said they complement each other; for example, local violations can also count against a retailer's state license. BOE encourages local programs to report violations to them and gave examples of successful cases against retailers in Los Angeles and Sacramento Counties. BOE can also share its retail data with local programs on request. Mutual efforts build a more comprehensive retailer-licensing database.

Ms. Carolyn Martin stated that since Sacramento County adopted local licensing ordinances in 2004, the illegal sales rate to minors has declined 80 percent. The local license fees ranging from \$270 to \$300 can support enforcement costs, unlike the one-time state license fee.

Assembly Member Horton will hold a hearing on his licensing bill on November 21, 2005, in Pasadena to discuss implementation, challenges, and recommendations.

Smuggling and Tax Evasion: Mr. Silva presented maps of retailer inspections and unstamped tobacco products seized statewide. These seizures collected 6.5 million cigarettes and brought in \$250,000 in unpaid taxes. The Chairperson commented that when Prop 10 went into effect, tax evasion increased, and other states with high tobacco taxes had similar experiences. California has fallen from the third highest tobacco tax in the country to the twenty-third highest, and smuggling may be lower as a result. More enforcement may be needed if the tobacco tax initiative passes.

6. PROGRAM REPORTS BY THE AGENCIES

(Each agency sends a written report to TEROCC prior to the meeting and responds to questions at the meeting.)

a) California Department of Education, Safe and Healthy Kids Program Office Report

California Department of Education (CDE) reported on:

- Collaborations: CDE and Tobacco Related Disease Research Program (TRDRP) continue to collaborate on the School Academic Research Awards (SARA) projects for 2005-06. A new CDE administrative policy will require future SARA school partners to enter into a contract with CDE rather than a grant. CDE and TCS have a meeting on December 2, 2005, to discuss in-school tobacco surveys. CDE and TCS are sending a joint letter to Local Educational Agencies (LEAs) that receive Tobacco Use Prevention Education (TUPE) funding requiring participation in the California Student Tobacco Survey (CSTS).
- *Recommendations for an Effective Statewide Tobacco-Use Prevention Education Program: The Report of the TUPE Recommendations Task Force:* CDE distributed copies of this document. Recommendation number 2, to use a competitive procurement process as the sole TUPE funding mechanism, requires a change in legislation. Safe and Healthy Kids Program Office

Report (SHKPO) provided the Superintendent of Public Instruction with supporting legislative language, but the Department has not acted. It was mentioned that AHA, ALA, and ACS also support the TUPE Task Force Recommendations and the proposed legislation. TEROc members agreed to send another letter to Superintendent Jack O'Connell encouraging him to approve departmental sponsorship of the proposed legislation.

- Addressing disparities: Changes to the 2006 TUPE Grades 9-12 Competitive Request for Application (RFA) will require applicants to evaluate and address any disparities in student tobacco use among different ethnic/cultural populations. SHKPO will compare local assessments of special population high risk to CSTS data. The Migrant, Indian, and International Education Office awarded \$40,000 annual TUPE grants to four Indian Education Centers in Modoc, Shasta, Alameda, and Humboldt counties, with an option to apply for an additional \$10,000 per year.
- Secondhand smoke (SHS): All LEAs and new competitive grantees are required to certify smoke-free school policies. Local schools have strengthened their tobacco policies, moving from smoke-free schools to tobacco-free schools. CDE is working with the Tobacco Education Clearinghouse of California (TECC) to add, "Tobacco is Prohibited" to their signage produced for schools.
- Cessation: CDE and TRDRP collaborated on a research grant to evaluate the "I Decide" school cessation program currently used by 40-50 school districts. The two applications received demonstrated that the RFA was not adequately funded to provide the required scientific rigor. The RFA will be re-released with increased funding. CDE added the Helpline to their approved list of science-based cessation programs, based on recognition from the Substance Abuse and Mental Health Services Administration as a model program.
- SHKPO initiated an online procurement for grades 6-8 and 9-12 with an accompanying webcast information meeting. The applications are due January 25, 2006.

The Committee asked for clarification:

- *How effective is the Helpline with youth?* Evaluations show that LEAs using the Helpline rated it effective.
- *Why hasn't the CDE California Healthy Kids Resource Center endorsed the Helpline as a science-based cessation program?* Endorsement criteria differ across the four agencies that recommend programs for the CDE approved list. Additionally, the Helpline does not take punitive referrals, only voluntary requests for help.

b) Tobacco Related Disease Research Program, University of California, Report

TRDRP reported that:

- Five of the six TEROc Master Plan (MP) objectives have one or more recommended research strategies associated with them: increase price, eliminate disparities, reduce exposure to SHS, increase availability of

cessation services, and counter tobacco industry influence. The attached slides identify the research strategies (see attachment).

- TRDRP awarded 54 grants in its fourteenth funding cycle in 2005, totaling \$14.6 million. Of those grants, 26 addressed MP objectives (representing 48 percent of the total number of grants, and approximately 59 percent of total funding). Ten grants addressed disparities, 9 addressed SHS, 14 were related to cessation and 3 addressed tobacco industry influence.
- The overall proportion of applications funded improved over the previous year despite fewer funds being available. The fund rate of 27.7 percent is better than that of the National Institutes of Health or other national research funders.
- Few participatory research project applications were received in 2005. There were four Community Academic Research Award (CARA) applications and three SARA applications, but none were meritorious.
- The Cornelius Hopper Diversity Award Supplements made three awards to currently funded researchers to mentor trainees from under-represented communities.
- The three-year summary of TRDRP grants awarded from 2003 to 2005 shows that 77 of the 160 total awards (48 percent) related to MP objectives. Grants meeting MP objectives represented 53 percent of total grant funds over the same three-year period.
- The 2005 grant cycle funded research in special populations. The fund rate varied for different populations depending on the scientific merit of the applications and the availability of funds. The fund rates of applications for special populations are: 31.8 percent race/ethnic; 20 percent women, 37.5 percent teens, 12.5 percent low socio-economic status (SES), and zero percent LGBT. 21.7 percent of prevention applications were funded and 15.6 percent of cessation applications.
- Approximately 500 participants attended the fifteenth TRDRP Conference in 2005. There were 12 scientific sessions, over 60 scientific papers, and over 100 posters. TRDRP launched the Tobacco Research Translation Institute toolkit at the conference, and Cecily Tyson presented the keynote speech at the 15-year dinner event. A special "Burning Issues" publication highlighted the 15-year history of TRDRP.
- The annual report was sent to the Legislature, but it is not cleared for public release at this time.

Committee members asked:

- *How are the areas of study related to MP objectives advertised?* TRDRP promotes these in its Call for Applications, also posted on its website, to reach scientists that may not be aware that these research areas are funded. The new Call for Applications will be released October 26, 2005. A member suggested that CDE also put TERO information on its website.
- *What does TRDRP fund that does not relate to MP objectives?* Biomedical, clinical treatment, pulmonary disease, cardiovascular disease, and stroke. Some clinical researchers are looking at pharmacological support against relapse. The mission of TRDRP is to reduce tobacco-related diseases and

- death. Legislation outlines what research areas TRDRP must address, and the agency must maintain a balanced portfolio. Several members acknowledged the value of some biomedical research in reducing tobacco use, and asked whether the MP should include another objective that addresses research on disease. Another member cautioned about being too specific in the MP, pointing out that Objective 1, strengthening the program, provides flexibility for TRDRP research areas.
- *Are there plans for more CARAs?* There is no lack of community interest, but it is difficult to get academic researchers involved in community research. Many scientists find communities an intimidating and difficult environment for research. Some of the current TRDRP grants have the flavor of a CARA, such as the Pacific Institute for Research and Evaluation and the City of Los Angeles research translation project. TRDRP may develop a specific RFA for CARAs in the future.
 - *Are TRDRP application reviewers aware of the community research difficulties?* Yes, the reviewers for those grants have done community research themselves.

c) California Department of Health Services, Tobacco Control Section Report

TCS reported that:

- The 2005 Youth Tobacco Purchase Survey (YTPS) results were released on August 23, 2005. The illegal sales rate in 2005 was 10.2 percent, a statistically significant drop from 14.0 percent in 2004. This is the lowest rate since the survey began in 1995.
- Dr. David Cowling and co-author Dr. Philip Bond have a paper in press with *Health Economics* entitled, "Smoke-free laws and bar revenues in California - the last call." The analyses demonstrate that revenues increased following the 1995 smoke-free restaurant law and the 1998 smoke-free bar law.
- The winner of the Clearinghouse RFA award is Education, Training, and Research (ETR) Associates. However, the scope of work will be modified to consist of print materials development, bulk distribution, and library reference services. TCS is looking at alternative options for website management functions.
- A significant amount of work is focused on eliminating disparities to achieve parity for priority populations.
 - A summit was held September 7-8, 2005, which shared the findings of five special studies: 1) Active Duty Military; 2) Lesbians, Gays, Bisexuals, and Transgender (LGBT); 3) Asian Indian; 4) Korean; and 5) Chinese. Approximately 50 national and state researchers attended the summit to discuss the meaning and translate the results to the field. The Committee asked TCS to provide fact sheets of the studies at the January 2006 meeting.
 - TCS established a \$7 million grant program for priority populations over a three-year period. TCS funded 21 projects for a nine-month assessment

and planning phase; successful grantees will be eligible to apply for the second phase – a two-year implementation project.

- The seven priority population partnerships have regular communication, planning activities, and are preparing to provide technical assistance to the newly funded priority populations planning grantees.
- Five local lead agency (LLA) pilot projects are working on an optional priority populations objective in their 2004-07 scopes of work.
- The Communities of Excellence Needs Assessment Guide is being revised and adapted for use with Priority Populations.
- A Priority Populations and Coalitions conference will take the place of the Project Directors' Meeting in October 2006.
- The California Environmental Protection Agency (Cal/EPA) report listed environmental tobacco smoke as a toxic air contaminant (TAC). The meeting to review findings and recommendations has been moved to January 26, 2006. Once identified as a TAC, Cal/EPA must review the findings with professional and public input to see if additional regulations are required.
- Californians support smoke-free policies for multiple-unit housing. A 2002 statewide survey showed that almost 70 percent of respondents agreed that apartment complexes should require at least half of their rental units to be smoke-free. TCS was unsuccessful in obtaining a grant to address this issue, but will allocate some existing staff time and resources to it.

The Media Campaign reported that:

- The Media Unit planned a press conference on September 6, 2005, releasing the findings of the five special population studies, and had outstanding coverage. Seventeen Asian/Pacific Islander media organizations attended, and additional print stories are coming out for LGBT and military. Ethnic media are hungry for ethnic-specific stories.
- Ground Zero Advertising (GZA) was awarded the contract for the California Tobacco Control Advertising Campaign through June 30, 2010. GZA conducted an open, competitive procurement for subcontractors for ethnic and in-language components of the campaign, and selected a new Spanish-language subcontractor, Acento. IW Group will continue as the Asian-language subcontractor and GZA will develop African-American creative. They will conduct focus groups from November through January with low SES, African-American, Hispanic, and Asian individuals.
- Unique media approaches are needed to get information on issues and messages with the military, LGBT and American Indian audiences, and will be a focus of the Media Unit in the coming year. TERO members can contact Colleen Stevens if they want to observe the focus groups.
- The advertisement (ad) approval process with the California Health and Human Services Agency is going well.
- The pool of trained spokespersons is becoming depleted statewide. TCS is coordinating regional trainings to be held in San Francisco, Redding, Sacramento, Los Angeles, San Diego, and Fresno. Local staff from LLAs, competitive grantees, priority population planning grantees, and coalition

members will be invited. TEROC members are also invited to become trained spokespersons.

- On Friday, October 21, 2005, the National Academy of Television Arts and Sciences will present its Community and Public Service Emmy Awards in New York. TCS' "Bubbles" ad has been nominated for an Emmy award. The "Bubbles" ad depicts a world where smokers blow bubbles instead of tobacco smoke and where SHS no longer exists.

TCS reported on the restructuring of the section:

- Beginning about a year ago, management assessed the TCS organization because it has not changed since 1994, and determined that restructuring of the units was needed to correct supervision issues, consolidate similar functions, and enhance technical expertise. The following is a brief summary of the proposed restructuring:
 - Split the Administrative and Contract Support Unit into two smaller units (Administrative Support Unit and Contract Management Unit) so that the unit chief no longer supervises 21 staff.
 - Move the TEROC liaison positions into the Policy Unit, renamed Strategic Planning and Policy Unit.
 - Create a new Section Chief, a Health Program Manager III. The position requested is pending Prevention Services and Personnel review. All other positions have been approved.
 - Create the Library and Information Services Unit to consolidate resources and technology to improve technological capability. TCS needed a portal approach for electronic communications, websites and web meetings. This new unit used to be part of the Local Programs Unit, and staff used to be in the TECC contract. Staff will be transferred to the University of California (UC), San Francisco contract, and there will be a unit chief.
 - Re-name the Data Analysis and Evaluation Unit to the Evaluation Unit.
 - Split the Local Programs Unit into Local Programs and Special Projects Unit and the Local Programs and Priority Populations Unit to consolidate and build expertise. Both new units will divide the LLA and competitive grantees.

Committee members asked or commented:

- *Is the drop in illegal youth sales related to licensing?* Yes, to some extent.
- Cal/EPA designation of environmental tobacco smoke as a TAC is an important step. Go on the record that this is a serious problem, and many people are still exposed to SHS.
- *It seems like the Administration is supportive of the media campaign. Is there anything that TEROC can do if that is not the case?* Agency Secretary Kimberly Belshé sees the value of the media campaign, and the ad approval process is going well.

7. PUBLIC QUESTIONS AND COMMENTS

Ms. Carolyn Martin asked:

- *Is the contract being negotiated for the Helpline for five years? Yes. Given declining funds, why commit funding for five years?* The Helpline has had a contract for telephone cessation services since 1990, and they perform well. Contract language makes it clear that the term and award are dependent upon the availability of revenue and approval of the Governor and Legislature.
- *Is the Helpline willing to change to a proactive response, such as, accepting a fax for a patient from a physician, with the Helpline responding proactively?* The Helpline is currently doing that with pregnant women and people with diabetes, and this approach is being evaluated. The Helpline is associated with a university, so they are continually looking for ways to improve based on evaluation and research. The Women, Infants, and Children's Supplemental Food Program (WIC) received \$4.8 million in 1995 to work on cessation with pregnant women, and the Helpline works with WIC to promote Helpline services.

Ms. Kimberlee Homer reported on the California Youth Advocacy Network's (CYAN) work with the UC system to establish policy against taking tobacco industry research funds. The UC President sent a report to faculty, and the Academic Senate adopted a resolution to delegate authority to the UC Regents to reject or accept tobacco industry research funding; this resolution eliminates any existing policies in individual UC schools. CYAN is now working with the California State University system to adopt such research policies, and to refuse tobacco industry money anywhere on campus. A Member asked if the policies also address tobacco industry pass-through funding through foundations or sister companies. Yes, the policies specifically address known sister companies.

Ms. Kimberly Bankston-Lee commented that since the last MP was produced in 2003, California has changed. Priority populations are now the majority population, and the plan should address disparity and special populations from the very beginning of the document. She suggested that the plan identify how California is currently addressing priority populations.

8. MASTER PLAN DEVELOPMENT

The Committee reviewed the latest draft of the MP prior to the meeting and shared their comments and suggestions for any changes. The more general and broad comments follow:

- The tone of the narrative is strongly advocacy-oriented, which is different from this member's idea of a legislatively mandated MP.
- More emphasis on disparities is needed. Impression that disparities are not mentioned until well into the document.
- Reduce the amount of text given to the tax initiative.
- Change the tax initiative from an objective to a strategy that supports strengthening the tobacco control program. There are other strategies to increase funding. Make it clear that TERO has been advocating for a tax increase since 2000 and that at least 20 cents should be earmarked for tobacco control.

- Programs need the tax increase, but cannot advocate for it. If the tax is prominent in the TEROC MP, the plan can be used at press conferences and other activities to make a stronger, clearer case for a tax increase.
- Consider this a program-based plan, not a tax initiative plan.
- Focus on the ten percent prevalence goal.
- Move the objectives and strategies closer to the front of the document. Some members wanted to re-order the objectives, but there was no consensus.
- Discussed a working title.

NEXT MEETING DATES:

MP meeting, date TBD.

Regular meetings in January, May, and late summer 2006; dates TBD

The meeting was adjourned at 4:20 p.m.

ACTION ITEMS:

1. TEROC prepare a letter supporting the CLASH request to add a sexual orientation question to the Helpline screening protocol, and respond to other requests for information in their letter.
2. TCS to report at the next meeting on the outcome of their meeting with the Helpline to add a sexual orientation question.
3. TEROC prepare a letter to Jack O'Connell, Superintendent of Public Instruction, to sponsor legislation that would implement the TUPE Task Force recommendations.
4. TCS to provide fact sheets from the Special Studies Summit at the January 2006 meeting.

ATTACHMENTS

1. BOE: Investigations Division statistics; Licensing Act of 2003 revenue estimates; and Cigarette and Tobacco Products Compliance Fund statement.
2. TRDRP presentation slides.